Personal Financial Management - Lesson 5 Consumer Awareness

	SLIDES:	
ENABLING OBJECTIVES:	5-1	Lesson 5 Title Slide
Upon completion of this lesson, students will be able to:	5-2	Definitions
5.1 Demonstrate knowledge of consumer rights and consumer protection	5-3	Types of Advertising
Laws	5-4	Auto Repair Rip-Offs
5.1.1 Identify consumer rights and responsibilities	5-5	Bait and Switch
5.1.2 Explain the basic purpose of consumer protection laws	5-6	Chain Referrals
5.2. Identify consumer rip-offs, scams and frauds	5-7	Title Loans
5.3. Identify advertising and marketing practices	5-8	Title Loan Example
5.4. Identify sources for assistance with consumer complaints and issues	5-9	Questionable Charities
	5-10	Contests and Gifts
REFERENCES:	5-11	Door-to-Door Sales
1. OPNAVINST 1740.5A (Draft)	5-12	"Free" Inspections
2. U.S. Navy's Personal Financial Management Standardized	5-13	Tips on Internet Shopping
Curriculum (PERS 662)	5-14	Spas and Gyms
3. SECNAVINST 1754.5A Personal Financial Management Education,	5-15	Anybody Should Know Better
Training and Counseling Program	5-16	Sophisticated Cons and Scams
4. OPNAVINST 1740.1 1 Fleet and Family Support Center	5-17	Identity Theft
5. Command Financial Specialist Training Manual NAVPERS	5-18	Identity Theft - How?
15608C	5-19	Identity Theft - What?
6. Consumer Reports and Consumer Research Publications	5-20	Preventing Identity Theft
7. Garman, Thomas. Rip-offs and Frauds. Houston, TX: Dame	5-21	Advance Loan Fees
Publications, 1996	5-22	Telemarketers
8. www.lifelines2000.org	5-23	Weight Loss Fraud
9. www.moneycentral.msn.com	5-24	Credit Repair
10. www.natlconsumersleague.org	5-25	Credit Repair Crime
11. www.fraud.org	5-26	Payday Loans
12. www.consumerworld.org	5-27	What Are Payday Loans
13. www.lifelines4qol.org	5-28	Saga of a Payday Loan
14. http://legal.firn.edu/safety/protect2.html	5-29	How to Protect Yourself
15. http://www.consumer.gov/idtheft/	5-30	More Protective Actions

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5-31	Consumer Protection Laws
5-32	Sources of Assistance
5-33	Summary Questions
5-34	Summary

5-35 Effects of Compound Interest

CASE STUDIES:

None

VIDEO TAPES:

None

NOTES TO THE FACILITATOR:

The main points of this topic are:

- \$ Definitions of Fraud, Con, Rip-off
- \$ Tips of Advertising
- \$ Frauds, Cons, and Rip-offs
- \$ How to Defend Yourself
- \$ Consumer Protection Laws
- \$ How to Cancel
- \$ How to Complain

I. INTRODUCTION

Unfortunately, a large percentage of our population doesn't see anything wrong with "exaggerated product claims," or high-pressure sales tactics. Young military members and their spouses are favorite targets of many who conduct frauds and cons. It is impossible to cover all types of frauds, cons, and rip-offs currently in existence. The list is long, and we have less than an hour. It is also impossible to gather accurate statistics about the numbers of frauds committed because some people are embarrassed to admit that they've been cheated. During this class, we will cover some of the more common types of fraud, cons, and rip-offs.

II DEFINITIONS

Let's start with these definitions of exactly what we are talking about.

- A. Fraud Fraud is a deliberate deception.
- B. Con A "con" occurs by defrauding the victim by first winning their confidence.
- C. Rip-off Rip-offs are unfair acts of exploitation, they are not necessarily illegal. Rip-offs take advantage of areas where there are no consumer laws to provide protection.

SHOW SLIDE 5-1 LESSON 5 TITLE SLIDE

SHOW SLIDE 5-2 DEFINITIONS

III. TYPES OF ADVERTISING - The goal of advertising is to get you to buy a product or service, to buy more than you planned to buy, to spend more than you intended to spend, and, if possible, to get you to buy something that you did not want or need in the first place. There are several common types of advertising.

- A. Informative Just the facts of the product are presented, in an appealing and understated way, in the belief that the quality of the product will "sell itself." This tactic is used to sell "bigticket" items like luxury cars and jewelry, or to attract you to a store with high status appeal.
- B. Emotional The intent is to obtain an emotional response that may have nothing to do with the product itself. The ad may imply that you will be a social outcast if you do not use the product (deodorant, toothpaste, certain jeans). It creates the myth of owning the latest "in" thing. Often include subtle put-downs of the competition.
- C. Personalized Designed to make the individual think that the salesman or advertiser wants him or her, personally for a customer. May include 'personalized' junk mail or phone calls. Preys on the idea that we all want to have friends, and here is one as long as you buy the product.

SHOW SLIDE 5-3 TYPES OF ADVERTISING

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RELATED INSTRUCTOR ACTIVITY

- D. Association Uses familiar people from the entertainment and sports industry to sell the product. The idea is that you can associate with that person on a personal level if you buy the product they endorse.
- E. Buzz Words Words and phrases created to catch your attention, to make you think the product is somehow special or better than the former version or the competition's version. The idea is to make you want to get rid of the other stuff and buy this one in order to have the newest, latest, best. This is often called "baiting a sale". Examples include "Clearance," "Sale," "Closeout," and "Liquidation."
- F. Fear Part of the emotional appeal approach. Plays on your fear of rejection or loss if you don't use the favored product. This often includes the idea of personal ruin if this product is not used or purchased.
- G. Berating (Put Down) The goal is to convince you that something is wrong with you if you don't buy their products.

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IV FRAUDS, CONS, AND RIP-OFFS

- A. Auto Repair. Auto repair rip-offs consistently rank as the number one consumer complaint throughout the nation. One shady practice is misdiagnosing, for example, stating that you need a new battery and/or alternator when all you need is to clean your battery terminals. You also need to be alert for installation of lesser quality parts than what you are charged for. A "rebuilt" part should look new. A dirty or rusty part may be "salvage" that the garage or mechanic got from a junkyard for about 10% of the cost of a rebuilt or refurbished part. Be aware that most states have laws that require auto repair facilities to give you a written estimate of what their work will cost. If they exceed the written estimate by more than 10% without your permission, you are not required to pay.
- B. Bait and Switch. In this ruse, stores advertise fabulous bargains just to get you in the door, then try to sell you something more expensive. More often than not, the advertised item is not available for any number of a number of reasons: *there aren't any left.* . . *you can't get delivery for six months, etc.* If you encounter a "bait and switch", leave immediately and report the incident to the Better Business Bureau.

SHOW SLIDE 5-4 AUTO REPAIR RIP-OFFS

SHOW SLIDE 5-5 BAIT AND SWITCH

RELATED INSTRUCTOR ACTIVITY

- C. Chain Referrals. This is a legitimate tool when used by an honest salesman to get referrals from customers to their friends. It becomes a scheme when the salesman lies to the prospect about the person who made the referral and what they said or did.
- D. Title Loans. I'll explain a bit about title loans in a moment, but all you really need to know about them is on this screen.

E. In a title loan transaction, you keep your vehicle and drive it. The lender keeps the title as security and, usually, a copy of your keys. If you cannot make the payments, the lender will repossess your vehicle, sell it, and pocket whatever money he or she gets. Some states, including Alabama, which is 15 minutes from NAS Pensacola, allow "fees" up to 22% PER MONTH for this type transaction. The slide shows an example of how this adds up.

SLIDE 5-6 CHAIN REFERRALS

SHOW SLIDE 5-7 TITLE LOANS

SHOW SLIDE 5-8 TITLE LOAN EXAMPLE

- F. Questionable Charities. You will receive countless mail and telephone solicitations asking for donations to what may seem like worthy causes. The problem is how to distinguish between the legitimate and the scam. Solicitors requesting donations for law enforcement or emergency services groups cannot claim that you may receive reduced services if you fail to donate. Donating to a law enforcement "association" will NOT save you a possible ticket. Copycat organizations may use a name similar to a well-known charity. Beware! You are always entitled to request information on the amount of money spent on the purpose, as well as how much is spent on salaries and other expenses. If you don't receive a satisfactory response, you may choose not to give that group your donation.
- G. Contests and Free Gifts. These may be used to get you to the store, mail order house or internet site, or to order the product, even though "purchase is not required." The Publisher's Clearing House Sweepstakes is perhaps the most notable example. The merchants hope that giving you a free gift, or a chance to win a prize will make you feel obligated to spend money.

SHOW SLIDE 5-9 QUESTIONABLE CHARITIES

SHOW SLIDE 5-10 CONTESTS AND GIFTS

- H. Door-to-Door Sales. High pressure sales presentations are given with the hope that you will buy a product you don't need,. The salesman will often offer to perform a cleaning service in your home as a demonstration. These can take hours and it may be hard to get them to leave.
- I. Free Inspections. Beware of "free, no obligation" offers for inspections of your car or house. Invariably, something will be found wrong and the repair is often overpriced. Military members who are selling a home in conjunction with a PCS move are particularly vulnerable. A company may offer "free" termite inspections, but then bill you for several hundred dollars. If you don't pay, they submit the bill, as a lien against the house, to the closing company handling the sale. You then have the choice of paying the false charges or delaying the sale and fighting the charges in court from another state or country.

SHOW SLIDE 5-11 DOOR-TO-DOOR SALES

SHOW SLIDE 5-12 "FREE" INSPECTIONS

- J. Tips on Internet Shopping. The Internet provides consumers with a wide range of information, and sellers with a new way to promote their products or services. "Cybershopping," "banking online," and other conveniences will spur an increasing number of consumers to do business by computer. But crooks also recognize the potential of cyberspace. The same scams that have been conducted by mail or phone can now be found on the Internet, and new technologies are resulting in new ways to commit crimes against consumers. In 1997 there were 689 reported cases of internet fraud. In 1999 there were 10,600. Let's look at a few ways to protect yourself.
 - 1. Do business with companies you know and trust. Be sure you know who the company is and where it is physically located. Businesses operating in cyberspace may be in another part of the country or in another part of the world. Resolving problems can be more complicated in long-distance or cross-border transactions. You can also ask consumer agencies and the Better Business Bureau about the company's complaint record. But keep in mind that fraudulent companies can appear and disappear quickly, especially in cyberspace.

SHOW SLIDE 5-13 TIPS ON INTERNET SHOPPING

- 2. Understand the offer. Look carefully at the information about the products or services the company is offering, and ask for more information, if needed. A legitimate company will be glad to provide it; a fraudulent marketer won't. Be sure you know what is being sold, the total price, the delivery date, the return and cancellation policy, and the terms of any guaranty. Print out the information so that you have documentation if you need it.
- 3. Be careful with financial or other personal information. Don't provide bank account numbers, credit card numbers, social security number or other personal information unless you know the company is legitimate, the site is secure, and the information is necessary for the transaction. Even with partial information, con artists can make unauthorized charges, deduct money from your account, and impersonate you to get credit in your name.

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RELATED INSTRUCTOR ACTIVITY

- 4. Take your time to decide. While there may be time limits for special offers, high-pressure sales tactics are often danger signs of fraud.
- 5. Be aware that there are differences between private sales and sales by a business. All sorts of goods and services are sold or traded by individuals through unsolicited e-mails, newsgroup postings, chat room discussions, web auctions and online classified advertisements. While most people are honest, your legal rights against the seller may not be the same as with a business, and you could have difficulty pursuing your complaint if merchandise is misrepresented, defective or never delivered.
- 6. You may be better off paying by credit card than with a check, cash or money order. When you use your credit card for a purchase and there is a problem, you have the right to notify your card issuer that you are disputing the charge, and you don't have to pay it while your dispute is being investigated.

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- 7. Don't judge reliability by how nice or flashy a website may seem. Anyone can create a website; it's relatively easy and inexpensive. Know that people in cyberspace may not always be what they seem. Someone sharing a "friendly" tip about a money-making scheme or great bargain may actually have a piece of the action. "Friendly" people can turn out to be crooks!
- K. Spas and Gyms. They offer a "special" enticement to get you in the door in order to get you to sign a high price contract for a series of lessons or treatments. Check out the base gym and fitness centers before spending money downtown.
- L. Anybody Should Know Better. Yeah, anybody should know better, but just to be sure you do, let me tell you about three common cons that you'll likely see almost every day.
 - 1. One example is an ad, flyer, or whatever that says the advertiser has a "secret" that will make you a ton of money and will share it with you for a small price. If you respond and get anything at all, it will likely be a letter telling you to place a similar ad and collect money from suckers like yourself.

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SHOW SLIDE 5-14 SPAS AND GYMS

SHOW SLIDE 5-15 ANYBODY SHOULD KNOW BETTER

- 2. Be skeptical of work at home ads. Often, the idea is to get you to buy the "supplies" for this home endeavor in anticipation of orders from the company. The orders never materialize. Another take on this is to sell you the "supplies" for some sort of craft work, which the company will then buy back from you at a relatively high price. For example, painting faces on dolls. Problem is, they never buy your completed products because "your work doesn't meet their quality control standards," or "orders for the products have fallen off."
- 3. Maybe the biggest laugh is the ruse of providing you help in filling out Government forms. Only catch is that for these folks to help you, you first have to pay for and fill out THEIR forms. You can obtain any necessary Government form absolutely free, and you have plenty of free help and advice in their completion available should you ever need it.
- 4. There are agencies and retailers who will send you something you didn't order and imply that you are obligated to pay for it. Easter Seals and Christmas Seals for example. Remember, you have no obligation to pay for or return anything you did not order.

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- M. Some cons and rip-offs are quite sophisticated. They may, and hopefully will, sound silly to you, but keep in mind that they wouldn't exist if they hadn't worked time and time again.
 - 1. Pigeon Drop The con artist arranges for him or her and the victim to simultaneously "find" a wallet containing considerable cash. The deal is for the victim to keep the wallet, but give the con man cash equal to half (sometimes less) of what is in the wallet. Of course, after getting the "good faith" cash, the con artist pulls a switch and gives the victim an empty wallet.
 - 2. Ponzi Scheme This is a highly complicated stock investment pyramid swindle involving sale and resale of non-existent stock. It's not unknown for the amount of money involved to reach into the millions of dollars.

SHOW SLIDE 5-16 SOPHISTICATED CONS AND SCAMS

RELATED INSTRUCTOR ACTIVITY

- 3. Pyramids This is a nutty scheme where a sucker will pay good money to buy his or her way in at the bottom of the pyramid, and then must go out and find others to buy in below them A chain letter is a prime example of a pyramid. Don't confuse this with legitimate multi-level marketing enterprises that sign up distributors and get a commission on actual products that are sold.
- N. Identity Theft. If this happens to you, it could ruin your credit and your good name. Unfortunately, increased availability of personal information has led to a rapid rise in identity theft. In one year alone, over 350,000 people contacted TransUnion to report identity theft. Because it can be so serious, let's look at how it's done, what can happen to you, and what you should do to prevent or correct this problem.

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SHOW SLIDE 5-17 IDENTITY THEFT

- 1. No one can steal your identity without some amount of personal information. They may get this from a stolen wallet or purse, they may buy it from "inside sources," they may go "dumpster diving" and obtain it from bills and receipts carelessly deposited in your garbage, or they could steal or re-direct your mail.
- 2. Armed with enough information, a crook can open a bank account in your name and write bad checks on it, and/or charge items to your credit card, or a new card they have obtained in your name. If they have diverted your statements, you may not be aware of what is happening to you until well after the fact. They could even obtain a drivers license in your name, give your identify to police, and then BINGO, you have a criminal record.

SHOW SLIDE 5-18 IDENTITY THEFT - HOW?

SHOW SLIDE 5-19 IDENTITY THEFT - WHAT?

- 3. One way to protect yourself from identity theft, minimize the identification information and number of credit cards you carry. Another is to tear or shred receipts, copies of credit applications, insurance forms, checks, bank statements, expired charge cards, and any credit offers you get in the mail prior to discarding. Be cautious about where you leave personal information in your home, especially if you have roommates, employ outside help or are having service work done in your home. Order a copy of your credit report from each of the three major credit reporting agencies every year. Make sure it is accurate and includes only those activities you've authorized.
- O. Advance Fee Loans. Legitimate lending institutions typically charge a fee to process your application. They apply this fee to cover the costs of researching your credit worthiness. They will NOT guarantee that you will qualify for the loan. Conversely, many companies, advertising in newspapers and magazines, guarantee their ability to get loans even for people with credit problems. Of course, they will require a substantial "advance fee."

SHOW SLIDE 5-20 PREVENTING IDENTITY THEFT

SHOW SLIDE 5-21 ADVANCE FEE LOANS

Forget it! There are no guarantees in the legitimate loan industry. To protect yourself from this scam, apply for loans only through banks or credit unions. Don't fall for promises of being able to get a loan regardless of past credit problems. If you can't get the loan yourself, get a co-signer.

O. Telemarketers. It is up to you if you want to buy something over the phone or not; however, be aware that consumers lose an estimated \$40 billion a year through telemarketing fraud. The FBI estimates there are 14,000 illegal telephone sales operations bilking consumers in the United States EVERY DAY. Be particularly leery of offers for "free" gifts and free or low-cost vacations. It's probably unwise to provide financial information over the phone unless you have called an established company to make a purchase.

SHOW SLIDE 5-22 TELEMARKETERS

DISCUSSION POINT RELATED INSTRUCTOR ACTIVITY

- P. Weight Loss Fraud. The lure of losing weight immediately without dieting or exercising merely by taking a magic pill is irresistible to some. Problem is medical science has yet to create such a pill. Promotions that offer such will only thin your bank account. Be skeptical. Look for magic words such as "breakthrough discovery," "secret," "exclusive," or "miraculous:" words with no scientific meaning. Be wary of claims that sound too good to be true. Don't believe glowing testimonials that are impossible to verify. (Try finding "Mary S. from New York City"). There is no pill that makes "pounds simply melt away." Often these "magic pills" are strong laxatives or diuretics that can cause serious health problems. Before you purchase any weight loss product or program, consult with a physician, a licensed nutritionist or a registered dietitian, all of whom are available to you FREE.
- Q. Credit Repair. You'll hear claims like these all your adult life. If you ever experience financial difficulty, you'll hear, and read, a LOT of them. If you are in financial hot water, this is a good place to start to save money -- ignore them!

SHOW SLIDE 5-23 WEIGHT LOSS FRAUD

SHOW SLIDE 5-24 CREDIT REPAIR

- R. Credit Repair Crime. Some credit repair schemes promise you that they can "hide" bad credit by helping you to establish a new credit identity. If you pay a fee for such a service, the company may direct you to apply for an Employer Identification Number (EIN) from the Internal Revenue Service, and to use the EIN in place of your social security number when you apply for credit. You may also be instructed to use a new mailing address. This practice, known as file segregation, is a federal crime.
- S. Payday Loans. This slide should look somewhat familiar to you. Except for the title of the slide, it's the same one I presented when talking about automobile title loans. Same straightforward advise; here's why.
- T. What Are Payday Loans? Payday loans (also called post-dated check loans) are small loans that you can take out several days before payday and then repay as soon as you get paid. Most of these places have you write a post-dated check for collateral. The typical interest for a payday loan is over 400%.

SHOW SLIDE 5-25 CREDIT REPAIR CRIME

SHOW SLIDE 5-26 PAYDAY LOANS

SHOW SLIDE 5-27 WHAT ARE PAYDAY LOANS?

U. Seaman Slipknot was getting ready to go on leave, but was down to his last ten bucks. So he went to the convenient loan office just off base, signed a contract for a payday loan, and wrote a post-dated check to the loan company for \$236. They gave him \$200 in cash and he was off on leave. Unfortunately he overspent on his vacation and his check to the loan company bounced. He then owed the bank and the loan company an additional \$35 each for bounced check fees, plus additional interest on the loan. The \$70 in unplanned fees made it impossible to for him pay off the loan the following month, and after only 60 days, the \$200 loan has now cost him \$420, plus the \$70 in bounced check fees. If this had gone on for a year the \$200 would have cost \$8129 in interest alone. Of course, the loan company took the sailor to small claims court after 60 days where the judge ordered his pay garnished. Following the court case, came a Captain's mast with additional punishment. NEVER take out a payday loan.

SHOW SLIDE 5-28 SAGA OF A PAYDAY LOAN

V. HOW TO PROTECT YOURSELF

There are several things you can do to protect yourself from that unsavory element of our society that preys on the young, the naive, and the uninformed.

- A. Be a Skeptic. No one is going to give something for nothing. If somebody has a business proposition to make thousands of dollars in their spare time at home, they aren't going to be selling it in a newspaper ad for \$50.
- B. Sleep on it. Take time to think about investments and purchases.
- C. Do Research. Find out how long the company has been in business and research its past successes and failures. Get on the Internet to one of the sites we've discussed and check out the person or business your dealing with. Call the better business bureau, talk to people in your organization, talk to the legal officer.

SHOW SLIDE 5-29 HOW TO PROTECT YOURSELF

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- D. Get it in writing. There's an old quote that says, "A verbal promise isn't worth the paper it's written on." If you don't have it in writing, it is your word against the salesperson's.
- E. Be leery of businesses that have only a P.O. box for an address.
- F. Analyze your needs and wants before you buy. Nothing is a bargain if you didn't need it in the first place.
- G. Keep your receipts and take prompt action if the product isn't what you want or doesn't live up to advertising or the salesperson's claims.
- H. Be leery when dealing with unknown businesses that are located out of state and when buying over the Internet. It's very difficult and expensive to recover your money if the business is in another state and fraudulent companies know this.

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SHOW SLIDE 5-30 MORE PROTECTIVE ACTIONS

RELATED INSTRUCTOR ACTIVITY

- I. Remember that nothing is really free. Companies can't stay in business if they give away their merchandise. There will ALWAYS be a hidden cost or ulterior motive.
- J. Know what you're buying. Some companies sell cheap junk under brand names very similar to established quality brand names.

VI. CONSUMER PROTECTION LAWS

There are several laws that protect consumers, members of the military in particular.

A. Soldiers and Sailors Relief Act. This Act was passed by Congress in 1940 (amended in 1974) and provides a number of protections for military members. One of these provides the opportunity for a service member to delay a court date when military duties make it impossible to appear. You are guaranteed the right to have your day in court. You cannot be tried in absentia.

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SHOW SLIDE 5-31 CONSUMER PROTECTION LAWS

- B. Consumer Bill of Rights. These are general rights of access to product and price information and the right to an informal dispute process.
- C. Fair Credit Billing Act. This act applies only to credit purchases and allows you to withhold payment on a disputed product or service. It allows you to challenge a credit card charge when the charge was unauthorized or is in error, if you never received the product, or if the product did not perform as promised.
- D. Lemon Laws. This is the common name for the Motor Vehicle Warranty Enforcement Act. These laws allow you to take back a new vehicle that has safety or repeat mechanical problems that are a major defect. You are entitled to a refund or a replacement. Some states also have laws regarding used vehicles.
- E. Cooling Off Periods consumers may be able to cancel a purchase contract within three business days. Be aware that cooling off periods do not apply to vehicle purchases and leases or contracts signed at the merchant's place of business, unless actually written into the contract.

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VII. SOURCES OF ASSISTANCE

In the area of consumer awareness, as is the case in most other topics we've covered, you are not alone. Several of the sources of assistance shown on this slide are available only to you, the military member. More specific information on how to contact each of these sources is included in your handouts. Remember both spouses are legally and financially liable for debt.

SHOW SLIDE 5-32 SOURCES OF ASSISTANCE

SHOW SLIDE 5-33 SUMMARY QUESTIONS

Summary Questions

- 1. What are two consumer rights?
- 2. What is a title loan?
- 3. Why is it a bad idea?
- 4. What is a pay day loan?
- 5. Why should I not take a pay day loan?
- 6. Name two types of consumer cons or scams.
- 7. Why should I sleep on it before signing any type of consumer contract?
- 8. Where can I go to complain or get assistance?

VIII. SUMMARY

During this hour we have discussed some common advertising and marketing strategies and identified several common cons, scams, and rip-offs. We also talked about how to protect yourselves against people who want to cheat you out of your hard-earned money and where to turn for assistance when you feel you have been, or may be, taken advantage of.

SHOW SLIDE 5-34 SUMMARY

SHOW SLIDE 5-35 EFFECTS OF COMPOUND INTEREST